

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FRANKIE MONEGRO,

Plaintiff,

-against-

BRILLIANCE NEW YORK, LLC, and  
VALOR 26, LLC,

Defendants.

**ORDER**

20 Civ. 8554 (PGG) (JLC)

PAUL G. GARDEPHE, U.S.D.J.:

The Complaint was filed on October 14, 2020 (Cmplt. (Dkt. No. 1)), and the Amended Complaint was filed on November 6, 2020. (Am. Cmplt. (Dkt. No. 6)) On October 16, 2020, this case was referred to Magistrate Judge James L. Cott for general pretrial supervision. (Dkt. No. 5) On November 12, 2020, Plaintiff filed a notice of voluntary dismissal as to Defendant Brilliance New York, LLC. (See Dkt. Nos. 10, 11)

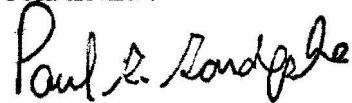
On December 24, 2020, Plaintiff filed proof of service as to Defendant Valor 26, LLC. (Dkt. No. 12) It is not clear from the proof of service whether Valor 26, LLC was served with the Amended Complaint, or merely with the Complaint. To date, no answer has been filed by, and no appearance has been entered for, Defendant Valor 26, LLC.

Accordingly, by **April 5, 2021**, Plaintiff will file proof of service of the Amended Complaint as to Valor 26, LLC. If Plaintiff does not file proof of service by **April 5, 2021**, this case **will be dismissed for failure to prosecute.** See Fed. R. Civ. P. 4(m).

The Court's prior order (Dkt. No. 13) directing Plaintiff to move for a default judgment is vacated.

Dated: New York, New York  
March 22, 2021

SO ORDERED.



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Paul G. Gardephe  
United States District Judge